

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

Christopher Robert Beaulieu

v.

Civil No. 14-cv-280-SM

Aaron Belanger, et al.

**REPORT AND RECOMMENDATION**

Before the court is New Hampshire State Prison inmate Christopher Beaulieu's "Motion to Disregard" (doc. no. 35), which requests that this court "dismiss[]," without prejudice, Beaulieu's motion seeking a temporary transfer to the Strafford County Department of Corrections (doc. no. 16), and his request for an evidentiary hearing on that preliminary injunction motion.

To avoid ruling on a motion that the movant has abandoned, the district judge should grant Beaulieu's Motion to Disregard (doc. no. 35). Beaulieu's motion for a preliminary injunction and for a hearing (doc. no. 16) should then be denied as moot, without prejudice to Beaulieu's refiling a similar motion, supported by affidavits and citing authorities, to show that the relief requested should be granted. Cf. Apr. 10, 2015, Order (doc. no. 22) (taking preliminary injunction motion under

advisement and directing plaintiff to file exhibits to substantiate relief requested).

### **Conclusion**

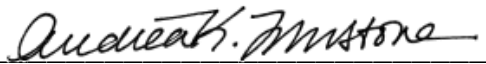
For the foregoing reasons, the magistrate judge recommends as follows:

1. The district judge should grant plaintiff's "Motion to Disregard" (doc. no. 35), which requests that plaintiff's motion for a preliminary injunction and for a hearing (doc. no. 16) be denied, without prejudice.

2. The district judge should then deny, as moot, Beaulieu's motion for a preliminary injunction and for an evidentiary hearing (doc. no. 16). The denial of that motion should be deemed without prejudice to Beaulieu's ability to refile a similar motion, properly supported by affidavits, other evidence, and authorities, showing that the relief requested should be granted.

Any objections to this Report and Recommendation must be filed within fourteen days of receipt of this notice. See Fed. R. Civ. P. 72(b)(2). Failure to file objections within the specified time waives the right to appeal the district court's order. See United States v. De Jesús-Viera, 655 F.3d 52, 57

(1st Cir. 2011); Sch. Union No. 37 v. United Nat'l Ins. Co., 617  
F.3d 554, 564 (1st Cir. 2010).

  
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Andrea K. Johnstone  
United States Magistrate Judge

June 25, 2015

cc: Christopher Robert Beaulieu, pro se  
Laura E. B. Lombardi, Esq.